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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,838	04/02/2001	Hyun-doo Shin	Q59546	8476

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EXAMINER

LE, BRIAN Q

ART UNIT PAPER NUMBER

2623

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,838

Applicant(s)

SHIN ET AL.

Examiner

Brian Q. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/04/2005 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the full details of the calculation and the concept of pattern quantizing value must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The amendment filed July 21, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the concept of "increasing a threshold value if a pattern quantizing value is retained" and "decomposing the projected image if the level in which a previous pattern quantizing value" had completely added new matter into the disclosure of the invention. The concepts were not originally supported in the specification.

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Applicant is required to cancel the new matter of the amended specification and amended abstract in the reply to this Office Action.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The concept of “increasing a threshold value if a pattern quantizing value is retained, and denoising the decomposed data” is not supported in original specification (emphasis added). The original specification only supports the increasing a threshold value **until** a pattern quantizing value is retained.

Claims not specifically addressed depend from indefinite antecedent claims.

6. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The key concept/term “pattern quantizing value” is not clearly disclosed in the specification. The Applicant is required to clearly explain the terminology of pattern quantizing value. Also, the Examiner still not clear

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of how the threshold value working in conjunction with pattern quantizing value. Also regarding to claim 11, the concept of “increasing the threshold value until the pattern quantizing value **changes**” (emphasis added) is not supported in the original specification.

Further elaboration is required. The Prior Art rejection based on the Examiner’s best understanding.

Claims not specifically addressed depend from indefinite antecedent claims.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicant is required to clearly explain the terminology of pattern quantizing value. Also, the Examiner still not clear of how the threshold value working in conjunction with pattern quantizing value. Further elaboration is required. The Prior Art rejection based on the Examiner’s best understanding.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 1, 3-5 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Nakagawa U.S. Patent No. 5,291,282 and Katsuyama U.S. Patent No. 6,771,813.

Regarding to claim 1, Nakagawa teaches a method of describing pattern repetitiveness of an image (FIG. 6) comprising the steps of:

(b) decomposing the projected image down own level (divide the image into blocks) (column 7, lines 1-5);

(c) increasing a threshold value if a pattern quantizing value is retained (column 11, lines 59-68 and column 30, lines 59-68), and denoising the decomposed data (amplification and noise removal) (column 33, lines 1-10); and

(d) describing pattern repetitiveness of the image using the pattern quantizing value of the denoised data and the threshold value used for denoising (column 33, lines 1-15).

Nakagawa does not explicitly teaches the concept of projecting an image on a predetermined axis having a predetermined direction. Katsuyama further teaches a pattern image processing (column 3, lines 35-38) wherein projecting an image on a predetermined axis (x-axis and y-axis) having a predetermined direction (FIG. 13 a, FIG. 17 and column 5, lines 40). Modifying Nakagawa's method of describing pattern repetitiveness of an image according to Katsuyama would able to apply the axis and direction to further describe the pattern/similarity of the image. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Nakagawa according to Katsuyama.

Regarding to claim 3, please refer back to claim 1 for the teachings. In addition, Nakagawa teaches the method comprises the steps of calculating the pattern quantizing value of

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the image (column 11, lines 59-67); calculating the pattern quantizing value of the denoised data (column 12, lines 7-28) and discriminating whether a current pattern quantizing value is identical (the process of determine whether the quantization width fall within a range) to a previous pattern quantizing value (column 8, lines 25-67).

Regarding claim 4, please refer back to claim 1 for the teachings and explanations.

For claims 5 and 9-11, please refer back to claim 1 for further explanation.

11. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Nakagawa U.S. Patent No. 5,291,282 and Katsuyama U.S. Patent No. 6,771,813 as applied to claim 1 above, and further in view of Acharya U.S. Patent No. 6,574,374.

Regarding claim 2, as discussed in claim 1, Nakagawa teaches the concept of decomposition. However, Nakagawa does not disclose the concept of decomposition is based on a discrete wavelet transform. Acharya teaches the system removing noises/artifacts (abstract) wherein the decomposition is based on a discrete wavelet transform (column 4, lines 1-10) to further remove the artifacts from the image. Modifying Nakagawa's method of describing pattern repetitiveness according to Nakagawa would able to further remove the noise and artifacts from the images. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Nakagawa according to Acharya.

For claim 6, please refer back to claim 2 for the explanation.

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CONCLUSION

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Q Le whose telephone number is 571-272-7424. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 571-272-7414. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC Customer Service whose telephone number is 703-306-0377.

BL
July 19, 2005



SAMIR AHMED
PRIMARY EXAMINER